

## UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

United States of America  
v.  
DERRICK JOMELL PERRY

## AMENDED JUDGMENT

Date of Original Judgment: July 20, 2007

Date of Previous Amended Judgment: April 14, 2010

(Use Date of Last Amended Judgment if Any)

Case No: 5:06-CR-82-1FL

USM No: 50270-056

Thomas P. McNamara

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 110 months is reduced to 72

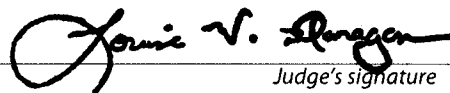
At sentencing on July 20, 2007; August 7, 2009; and April 14, 2010, the court imposed a sentence that was two months greater than the minimum of the guideline range in Count 2. A comparable sentence from the reduce guideline range reflected below results in a sentence of 72 months in Count 2. The sentences in Count 5 (60 months, concurrent) and Count 6 (60 months, consecutive) remain unchanged, producing a total sentence of 132 months.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment(s) dated July 20, 2007; August 7, 2009; and April 14, 2010, shall remain in effect. **IT IS SO ORDERED.**

Order Date: 8/5/2013



Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

Louise W. Flanagan, United States District Judge  
Printed name and title